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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 DOUGLAS J. WAMBA,

8 Petitioner,

9 v.

10 JEFFREY A. UTTECHT, in his
capacity as Superintendent of the
Coyote Ridge Corrections Center,

11 Respondent.

C19-661 TSZ

ORDER

12 THIS MATTER comes before the Court on the Report and Recommendation
13 (“R&R”) of the Honorable Mary Alice Theiler, United States Magistrate Judge, docket
14 no. 7, to which petitioner has objected, see docket no. 8, and petitioner’s motion to
15 substitute Jeffrey A. Uttecht, the Superintendent of the Coyote Ridge Corrections Center,
16 for the State of Washington, as the respondent in this matter, docket no. 9. Having
17 reviewed the R&R, petitioner’s objections and motion to substitute, and the petition
18 under 28 U.S.C. § 2254 for writ of habeas corpus, docket no. 6, the Court ORDERS as
19 follows:

20 (1) Petitioner’s motion to substitute, docket no. 9, is GRANTED, and Jeffrey
21 A. Uttecht, in his capacity as Superintendent of the Coyote Ridge Corrections Center, is
22 SUBSTITUTED for the State of Washington, as respondent in this matter;

(2) The Report and Recommendation, docket no. 7, is ADOPTED;

(3) The petition for writ of habeas corpus, docket no. 6, is DISMISSED

without prejudice for failure to exhaust state court remedies;

(4) A certificate of appealability is **DENIED**; and

(5) The Clerk is DIRECTED to close this case and to send a copy of this Order to all counsel of record, petitioner pro se, and Magistrate Judge Theiler.

IT IS SO ORDERED.

Dated this 13th day of June, 2019.

Thomas S Zeller

Thomas S. Zilly
United States District Judge